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6-26-03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Victor T. Chen et al. Examiner: Frances Oropeza
Serial No.: 09/712,600 Group Art Unit: 3762
Filed: November 14, 2000 Docket: 279.492US1
Title: Method and Apparatus for Using Atrial Discrimination Algorithms to Determine
Optimal Pacing Therapy and Therapy Timing

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P.O.Box 1450
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER R3700

Sir:

In response to the Restriction Requirement dated May 16, 2003, Applicant elects, without traverse, to prosecute the invention of Group I (claims 1, 3 – 13, 30, 31 and 33 - 43).

Applicant respectfully asserts that at least claim 1 is a linking claim, in accordance with MPEP § 809, that links the claims in the groups (Group I, II, III, IV, V and VI) identified in the Office Action.

The Examiner is invited to contact Applicant's Representative at the below-listed telephone number if there are any questions regarding this Response or if prosecution of this application may be assisted thereby.

Respectfully submitted,

VICTOR T. CHEN ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(612) 373-6960

Date 6-16-03

By Marvin L Beekman
Marvin L Beekman
Reg. No. 38,377

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450 on this 16 day of June, 2003.

Name

GREG HANSON

Signature

G.Han



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MS Non-Fee Amendment

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We are transmitting herewith the following attached items (as indicated with an "X"):

- A return postcard.
 A Response to Restriction Requirement (1 pg).

Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.
P.O. Box 2938, Minneapolis, MN 55402 (612-373-6900)

By: Marvin L. Beekman
Atty: Marvin L. Beekman
Reg. No. 38,377

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Name

GREG HANSON

Signature

Greg Hanson

Customer Number 21186

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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(GENERAL)